



S.A.No.1172 of 2003

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.01.2024

CORAM

THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

S.A.No.1172 of 2003
and
C.M.P.Nos.2236 and 2237 of 2004

Xaviar Prince

... Appellant/Appellant/
Plaintiff

Vs.

Edward

... Respondent/Respondent/
Defendant

Prayer: Appeal filed under Section100 of Civil Procedure Code to set aside the judgment and decree dated 08.01.2003 made in A.S.No.102 of 2001 on the file of the Additional District Court, Kanyakumari District at Nagercoil, confirming the judgment and decree dated 29.06.2001 made in O.S.No.233 of 1999 on the file of the Principal District Munsif Court, Nagercoil.

For Appellant : No appearance

For Respondent : No appearance



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JUDGMENT

Learned counsel for the appellant filed a memo dated 3rd February, 2022 *vide* USR No.3516 reporting “no instructions” on the ground that in spite of communication sent to the appellant, there is no response from him. There is no one to prosecute this appeal. In the circumstances, this Court is left with no other option, except to dismiss this appeal for non-prosecution.

2. Accordingly, this Second Appeal is dismissed for non-prosecution. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

05.01.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes

abr



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To

- 1.The Additional District Judge,
Kanyakumari District at Nagercoil.
- 2.The Principal District Munsif,
Nagercoil.



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MUMMINENI SUDHEER KUMAR, J.

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